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**FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.** RECEIVED  
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MAR 30 2004

**FACSIMILE TRANSMITTAL****TO**

**Name:** OFFICE OF PETITIONS  
**Firm:** U.S. Patent and Trademark Office  
**Fax No.:** 1-703-872-9306  
**Phone No.:** 1-703-305-9282  
**Subject:** Petition Under 37 CFR. 1.10(c)  
**Your File No.:** USSN 10/693,609

**FROM**

**Name:** Danielle M. Pasqualone  
**Phone No.:** 650-849-6778  
**Fax # Verified by:** Gina Simon  
**# Pages (incl. this):** 14  
**Date:** March 30, 2004  
**Our File No.:** 07414.0075-00000

**Confirmation Copy to Follow: No**

**Message:**

**Attention: OFFICE OF PETITIONS  
URGENT - INCORRECT FILING DATE**

U.S. Application Serial No. 10/693,609  
Inventors: Ernest FRIEDLANDER et al.  
Filed: October 23, 2003

**Title: METHODS AND COMPOSITION FOR DETECTING TARGETS**

Pursuant to discussion with Petition Attorney on Duty, Mr. Acquah, attached please find the following documents, which were faxed on March 9, 2004, to OIPE. A copy of the USPTO's Auto-Reply Facsimile Transmission acknowledging receipt of these documents is also attached.

1. Petition Under 37 CFR 1.10(c) to Correct Filing Date and Request For Corrected Filing Receipt;
2. Marked-up copy of incorrect Filing Receipt; and
3. Copies of Express Mail Label, Postcard, Application Transmittal, and pages 1 and 2 of U.S. Patent Application No. 10/693,609, filed October 23, 2003.

## Auto-Reply Facsimile Transmission



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MAR 30 2004

TO: Fax Sender at 2024084400  
Fax Information  
Date Received: 3/9/2004 12:47:26 PM [Eastern Standard Time]  
Total Pages: 13 (including cover page)

**ADVISORY:** This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received  
Cover  
Page  
=====>

MAR. 9. 2004 9:43AM 3DC OFFICE2024084400		NO. 508 1
<b>LAW OFFICES</b> <b>FINNEGAN, HENDERSON, FARABOW, GARRETT &amp; DUNNER, L.L.P.</b> Stanford Research Park 700 Harwin Way Folsom, CA 94304		
Telephone (650) 848-6600	Facsimile (650) 848-6600	
<b>FACSIMILE TRANSMITTAL</b>		
<b>TO</b> Name: OIPE CUSTOMER SERVICE From: U.S. Patent and Trademark Office Fax No.: 1-703-746-8193 Phone No.: 1-703-305-9282 Subject: Petition Under 37 CFR 1.10(c) Your File No.: USSN 10/693,609	<b>FROM</b> Name: Danielle M. Pasqualone Phone No.: 650-848-6778 Fax # Verified by: Gina Simon # Pages (Incl. this): 13 Date: March 9, 2004 Our File No.: 07414.0075-00000	
Confirmation Copy to Follow: No		
Message:		
Attention: OFFICE OF INITIAL PATENT EXAMINATION (OIPE) URGENT - INCORRECT FILING DATE		
U.S. Application Serial No. 10/693,609 Inventors: Ernest FRIEDLANDER et al. Filed: October 23, 2003 Title: METHODS AND COMPOSITION FOR DETECTING TARGETS		
We enclose:		
<ol style="list-style-type: none"><li>1. Petition Under 37 CFR 1.10(c) to Correct Filing Date and Request For Corrected Filing Receipt;</li><li>2. Marked-up copy of incorrect Filing Receipt; and</li><li>3. Copy of Express Mail Label, Postcard, Application Transmittal, and pages 1 and 2 of U.S. Patent Application No. 10/693,609, filed October 23, 2003.</li></ol>		
<small>If there is a problem with this transmission, notify fax room at (650) 848-6600 or the sender at the number above. This facsimile is intended only for the individual to whom it is addressed and may contain information that is privileged, confidential, or exempt from disclosure under applicable law. If you have received this facsimile in error, please notify the sender immediately by telephone (collect), and return the original message by first-class mail to the above address.</small>		
PAGE 1/13 * RCVD AT 3/9/2004 12:47:26 PM [Eastern Standard Time] * SVR:USPTO-EFAXF-21 * DNIS:748195 * CSID:2024084400 * DURATION (mm-ss):03-32		

## CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being sent via facsimile on March 9, 2004, to OIPE Customer Service at facsimile number (703) 746-9195, located at the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Gina M. Simon

PATENT

Customer No. 22,852

Attorney Docket No. 07414.0075-00000

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
Ernest FRIEDLANDER et al.	)	Group Art Unit: 1645
Application No.: 10/693,609	)	Examiner: Not yet assigned
Correct Filing Date: October 23, 2003	)	
For: METHODS AND COMPOSITION	)	
FOR DETECTING TARGETS	)	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
**OFFICE OF INITIAL PATENT EXAMINATION**

Sir:

**PETITION UNDER 37 CFR 1.10(c) TO CORRECT FILING DATE**  
**AND REQUEST FOR CORRECTED FILING RECEIPT**

We enclose a marked-up copy of the Filing Receipt for the above-identified patent application. The corrected filing date, domestic priority data, and corrected inventor information are indicated on the marked-up copy.

1. Please change the filing date to October 23, 2003.

We attach a true copy of the Express Mail Label No. EV 351294240 US for this application. The handwritten "Date In" and the U.S. Postal Service date stamp both read October 23, 2003.

We also attach a copy of the returned postcard, bearing Express Mail Label No. EV 351294240 US and dated October 23, 2003. The label that the USPTO affixed to the original postcard incorrectly reads 102403. As indicated on the enclosed copy, the returned postcard with the USPTO label was received by Finnegan, Henderson, Farabow, Garrett, and Dunner, LLP, on November 7, 2003.

We also enclose copies of the application transmittal and the first page of the application itself, showing that Express Mail Label No. EV 351294240 US was placed on those documents prior to the mailing by "Express Mail."

In view of all of this information, applicants petition the Commissioner to accord this application a filing date of October 23, 2003.

**2. Under "Domestic Priority data as claimed by applicant," please indicate that the present application claims the benefit of U.S. Provisional Application No. 60/421,035, filed on October 23, 2002.** The enclosed copies of the transmittal and the second page of the application both indicate a claim for the benefit of that provisional application.

**3. Please change the information under "Applicants" as follows:**

- a. Please change "Shirley Johnson" to "Shirley J. Johnson."
- b. Please add the residence for each inventor, as indicated.

We respectfully request that you issue a Corrected Filing Receipt as soon as possible.

If there is any fee due in connection with this Request For Corrected Filing  
Receipt, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: March 9, 2004

By: *Danielle Pasqualone*  
Danielle M. Pasqualone  
Reg. No. 43,847

[illegible]

PLEASE STAMP TO ACKNOWLEDGE RECEIPT OF THE FOLLOWING:

In Re Application of: Ernest FRIEDLANDER et al.

Application No.: Not Yet Assigned

Group Art Unit: Not Yet Assigned

Filed: October 23, 2003

Examiner: Not Yet Assigned

For: METHODS AND COMPOSITION FOR DETECTING TARGETS

1. Transmittal Letter (3 pages, pages 1-3);
2. Specification - 159 pages, including one title page (not numbered), specification (122 pages, pages 2-123), claims (35 pages, pages 124-158; claims 1-55), and abstract (1 page, page 159); and
3. Drawings - 14 sheets (Figures 1-14).

Dated: October 23, 2003

Docket No.: 07414.0075-00000

MPB/DMP/lch - Mail Drop: Palo Alto

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FINNEGAN, HENDERSON, FARABOW  
GARRETT AND BURNER, LLP